



Department of Defense DIRECTIVE

NUMBER 1000.4

June 3, 2002

DA&M

SUBJECT: Federal Voting Assistance Program (FVAP)

- References:
- (a) DoD Directive 1000.4, "Federal Voting Assistance Program (FVAP)," September 4, 1996 (hereby canceled)
 - (b) Executive Order 12642, "Designation of the Secretary of Defense as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act," June 8, 1988
 - (c) Sections 1973ff. et seq. of title 42, United States Code
 - (d) [DoD Directive 5110.4](#), "Washington Headquarters Services," October 19, 2001
 - (e) through (g), see enclosure 1

1. REISSUANCE AND PURPOSE

This Directive:

1.1. Reissues reference (a) to update policy and responsibilities for the FVAP under reference (b).

1.2. Continues to implement reference (b), wherein the Secretary of Defense is named the "Presidential designee" and assigned responsibility for oversight of the FVAP under reference (c).

1.3. Assigns responsibility and delegates authority to the Director, Washington Headquarters Services (WHS) to carry out the FVAP for the Secretary of Defense, consistent with DoD Directive 5110.4 (reference (d)) and DoD Directive 1344.13 (reference (e)).

2. APPLICABILITY AND SCOPE

This Directive applies to:

2.1. The Office of the Secretary of Defense, the Military Departments (including the Coast Guard when it is not operating as a Military Service of the Navy by agreement with the Department of Transportation), the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities and all other organizational entities within the Department of Defense (hereafter referred to collectively as "the DoD Components").

2.2. The Commissioned Corps of the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA) under agreements with the Departments of Health and Human Services, and Commerce, respectively. The term "Uniformed Services" refers to the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, and their Reserve components, as well as the Commissioned Corps of the PHS and the NOAA.

2.3. Other Federal Executive Departments and Agencies that provide assistance to the FVAP under 42 U.S.C. 1973ff(c) (reference (c)). (Participating Federal Executive Departments and Agencies shall adopt regulations and procedures that conform to this Directive to the maximum extent practicable, consistent with their organizational missions.)

3. DEFINITIONS

Terms used in this Directive are defined in enclosure 2.

4. POLICY

It is DoD policy that:

4.1. The Heads of the DoD Components and the Uniformed Services shall encourage eligible voters in their organization to participate in elections for Federal, State, and local office.

4.2. The FVAP shall ensure that eligible voters receive, under Section 1973ff(b)(5) of reference (c), information about registration and voting procedures and materials pertaining to scheduled elections, including dates, offices, constitutional amendments, and other ballot proposals.

4.3. Every eligible voter shall:

4.3.1. Have, unless military necessity precludes it, an opportunity to register and vote in any election for which he or she is eligible.

4.3.2. Be able to vote in person or by absentee process when local conditions allow the voter to participate in the electoral process.

4.3.3. Receive voting assistance in a manner that safeguards the integrity of the electoral process and secrecy of the ballot.

4.4. All persons assisting in the voting process shall take all necessary steps to prevent fraud and to protect voters against any coercion, including the following:

4.4.1. No member of the Uniformed Services shall attempt to influence any other member to vote or not to vote, or to require any member to march to any polling place or place of voting as proscribed under 18 U.S.C. 608 and 609 (reference (f)). Nothing in this Directive shall be considered to prohibit free discussion about political issues or candidates for public office as proscribed in Section 609 of reference (f).

4.4.2. No person shall poll any member of the Armed Forces before or after he or she votes, as proscribed in 18 U.S.C. 596 (reference (f)). If any such member is polled, that event shall be reported through the chain of command to the Director, Federal Voting Assistance Program.

4.4.3. Nothing in this Directive shall preclude conducting official surveys authorized by Section 1973ff(b)(6) of reference (c) to report to the President and the Congress the effectiveness of the assistance provided to eligible voters, including a statistical analysis of Uniformed Services voting participation, a general assessment of overseas non-military participation, and a description of State and Federal cooperation.

5. RESPONSIBILITIES

5.1. The Director, Washington Headquarters Services shall:

5.1.1. Carry out the FVAP for the Presidential designee, the Secretary of Defense.

5.1.2. Act for the Presidential designee to coordinate and implement such actions as may be necessary to discharge Federal responsibilities assigned in E.O. 12642 (reference (b)) and 42 U.S.C. 1973ff (reference (c)).

5.1.3. Manage, coordinate, and perform the responsibilities assigned to the Presidential designee in E.O. 12642 (reference (b)) and 42 U.S.C. 1973ff (reference (c)). The Under Secretary of Defense (Personnel and Readiness) shall have policy oversight functions of this Program.

5.1.4. Establish and maintain liaison with officials of the State legislatures, and with State and local government officials.

5.1.5. Be the sole Federal Executive Branch representative for obtaining from each State current voting information and disseminating it to other Federal Executive Departments, Agencies, and the DoD Components pursuant to Section 1973ff(b)(5) of reference (c). In this regard, the DoD Components and participating Departments and Agencies may not contact State and local government officials about voting matters.

5.1.6. Encourage and assist States and other U.S. jurisdictions to adopt the mandatory and recommended provisions of reference (c) and advise them on the ways Federal laws and regulations apply to their individual electoral systems.

5.1.7. Establish and maintain a DoD Voting Assistance Program to cover all eligible DoD voters of the Department of Defense (military and civilian) and other citizens covered by reference (c) and to assist those personnel to vote. Conduct Voting Assistance Workshops during even-numbered years worldwide.

5.1.8. Publicize the right of citizens to participate in the electoral process under reference (c).

5.1.9. Review and coordinate the informational and educational effort directed toward all persons covered by reference (c).

5.1.10. Provide an ombudsman service for all persons covered by reference (c) and for State and local government officials.

5.1.11. Designate an "Armed Forces Voters Week" in August or September of each even-numbered year to encourage military personnel and their family members to exercise their right to vote.

5.1.12. Survey U.S. citizens (military and civilian) covered by reference (c) to gather necessary statistical information for the report to the President and the Congress required by Section 1973ff(b)(6) of reference (c).

5.2. The Heads of the DoD Components and the Uniformed Services shall:

5.2.1. Disseminate voting information to assist eligible voters in their organization in the following ways:

5.2.1.1. Develop written policies to support all eligible military personnel and their family members including those in deployed, dispersed, and tenant organizations. Establish the ratio or maximum number of voters that can be represented by a Voting Assistance Officer.

5.2.1.2. Ensure command support at all levels for the FVAP.

5.2.1.3. Designate a uniformed officer of general or flag rank in each Uniformed Service as the "Senior Service Voting Representative" to manage the respective Service voting programs. A "Service Voting Action Officer," preferably a civilian employee (GS-12 or higher), shall assist the Senior Service Voting Representative and shall be responsible for voting assistance operations within his or her Service. If the Service Voting Action Officer is a military member, he or she shall be at least an O-4, if an officer, or an E-8, if an enlisted member. The Service Voting Action Officer shall be a permanently assigned member within the Senior Service Voting Representatives organization and shall have such assistance as may be necessary to meet FVAP goals.

5.2.1.4. Designate Voting Assistance Officers at every level of command.

5.2.1.4.1. Assign one Voting Assistance Officer on each installation and in each major command to coordinate the programs conducted by subordinate units and tenant commands. Where possible, Installation Voting Assistance Officers should be a civilian GS-12 or higher. If a military member is assigned as the Installation Voting Assistance Officer, that officer should hold the rank of O-4 or higher.

5.2.1.4.2. Designate and assign in writing a Unit Voting Assistance Officer, at the O-2/E-7 level or above within each unit of 25 or more permanently

assigned members. Unit Voting Assistance Officers shall ensure that all small and geographically separated units are assisted. When military personnel (including noncommissioned officers) are designated as Voting Assistance Officers, this Directive authorizes them to administer oaths in connection with voter registration and voting.

5.2.1.4.3. Ensure that Voting Assistance Officers are available and equipped to personally assist voters for all elections. Additionally, any person who appears to need assistance in reading or understanding any English language material on voting or voter registration should receive immediate assistance in the appropriate language.

5.2.1.5. Expeditiously obtain and disseminate voting information and related materials, such as the "Voting Assistance Guide"; Standard Form (SF 76), "Federal Post Card Application (FPCA)"; and SF 186, "Federal Write-In Absentee Ballot (FWAB)." To do this:

5.2.1.5.1. Purchase sufficient materials to furnish registration and ballot request support for all elections.

5.2.1.5.2. Establish a DoD Component-wide means to communicate effectively with and expeditiously disseminate voting information to Commanders, Voting Assistance Officers, and military and overseas DoD civilian members of the DoD Component and their voting age dependents.

5.2.1.5.3. Develop a system to ensure the in-hand delivery of Federal Post Card Applications to all eligible voters. The system record keeping may include numbers or percent contacted, but may not include names (or any other identifying information) of individual citizens.

5.2.1.6. Ensure the in-hand delivery of SFs 76:

5.2.1.6.1. By January 15 of each calendar year to eligible voters and their voting age dependents.

5.2.1.6.2. By August 15 of even-numbered years to eligible voters, including DoD civilian employees and voting age dependents, who are serving outside the territorial limits of the United States.

5.2.1.6.3. By September 15 of even-numbered years to eligible voters, including voting age dependents, in the United States.

5.2.1.7. Ensure that adequate numbers of SFs 76 are available for military members and their voting-age dependents, and overseas DoD civilians during check-in processing as a result of permanent change of station orders and that they receive assistance in properly completing the form. These SFs 76 will be used to notify local election officials of the change of mailing address.

5.2.1.8. Require the Inspectors General of the Military Departments to review their voting assistance program annually at every level of command to ensure compliance with DoD regulations and public law.

5.2.1.9. Continually evaluate command voting programs.

5.2.1.10. Establish and maintain a Voting Assistance Program homepage on the DoD Components website. This homepage shall provide DoD Component-specific information regarding its Voting Assistance Program, including the names of and link to the assigned Voting Assistance Officers within the DoD Component; procedures to order voting materials; and links to other Federal and State voting websites, including a link to the FVAP website. They shall designate at least one well-advertised fixed location on bases, installations, and ships where absentee voting material and voting assistance is available to all military personnel, family members, and overseas DoD civilian employees.

5.2.1.11. Develop comprehensive command-wide voting awareness and assistance programs and activities in conjunction with Armed Forces Voters Week.

5.2.1.12. Establish and publicize a special telephone service, the "Voting Action Line," to link unit voting officers with their respective service or Departmental voting Action Officer. They shall emphasize rapid and accurate responses and solutions to voting-oriented problems.

5.2.1.13. Provide telephone operators at every military installation with the names, e-mail addresses, and office telephone numbers of unit or installation Voting Assistance Officers.

5.2.1.14. Train all Service members on absentee registration and voting procedures during years of Federal elections. Basic training and command courses shall emphasize and advertise voting assistance programs to encourage junior Service members to register and subsequently vote and include instruction on voting rights and responsibilities and procedures on absentee registration and voting. They also shall provide training and voting assistance for units preparing for deployment where voting materials and accessibility to register may be limited due to at-sea or remote area deployment.

5.2.1.15. Require that all major command, Installation and Unit Voting Assistance Officers attend a FVAP Voting Assistance Workshop during even-numbered years with elections for Federal offices. If the installation is not scheduled to receive FVAP workshop training, Installation and Unit Voting Assistance Officers should attend training at a nearby installation. Voting Assistance Officers at remote locations can access the FVAP website for training. Document the training of Voting Assistance Officers at the installation or base level.

5.2.1.16. Comment on the performance as a Voting Assistance Officer in the performance evaluation report pertaining to a member who has been assigned to serve as a Voting Assistance Officer.

5.2.1.17. File an after-action report in the format and manner that the Director, FVAP specifies.

5.2.1.18. Assist the FVAP in conducting official surveys in the manner specified by the Director, FVAP.

5.2.2. Refrain from contacting State and local government officials about voting matters. The Director, Washington Headquarters Service, shall be the sole DoD representative for contact and coordination with Federal, State, and local government entities for voting assistance and elections pursuant to 42 U.S.C. 1973ff(b)(1) (reference (c)).

5.3. The Inspectors General of the Military Departments shall provide a report of their assessment required under subparagraph 5.2.1.8, to the Inspector General of the Department of Defense, by January 31 of each year.


6. INFORMATION REQUIREMENTS

6.1. The Statistical Analysis and Reporting requirements in subparagraphs 5.1.12. and 5.2.1.18., above, have been assigned Report Control Symbol DD-DA&M(AR)1918 according to DoD 8910.1-M (reference (g)).

6.2. The after action reports referred to in subparagraph 5.2.1.17., above, are exempt from licensing according to paragraph C4.4.2. of DoD 8910.1-M (reference (g)).

7. EFFECTIVE DATE

This Directive is effective immediately.



Paul Wolfowitz
Deputy Secretary of Defense

Enclosures - 2

- E1. References, continued
- E2. Definitions

E1. ENCLOSURE 1

REFERENCES, continued

- (e) [DoD Directive 1344.13](#), "Implementation of the National Voter Registration Act (NVRA)," November 16, 1994
- (f) Title 18, United States Code
- (g) [DoD 8910.1-M](#), "DoD Procedures for Management of Information Requirements," June 1998

E2. ENCLOSURE 2

DEFINITIONS

E2.1.1. Eligible Voter. Any of the following:

E2.1.1.1. An "absent Uniformed Services voter," defined as an active duty member of the Uniformed Services or a member of the Merchant Marine who is absent from the place of residence where he or she is otherwise qualified to vote, and their accompanying dependents.

E2.1.1.2. An "overseas voter," defined as:

E2.1.1.2.1. An absent Uniformed Services voter who, by reason of active duty or service, is absent from the United States on the date of the election;

E2.1.1.2.2. A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or

E2.1.1.2.3. A person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

E2.1.2. Federal Office. The office of the President and Vice President; Presidential Elector; Member of the U.S. Senate or of the U.S. House of Representatives; Resident Commissioner from the Commonwealth of Puerto Rico to Congress; or Delegate from American Samoa, the District of Columbia, Guam, or the Virgin Islands to Congress.

E2.1.3. Installation Voting Officer. An individual responsible for the FVAP at the installation level.

E2.1.4. Local Election. An election for candidates for a local office, such as municipal, county, township or village elections, or referenda of local interest.

E2.1.5. Official Survey. A survey of citizens covered by 42 U.S.C. 1973ff (reference (c)), as required for report to the President and the Congress.

E2.1.6. Poll. Any request for information regarding the content of an individual's vote.

E2.1.7. Senior Service Voting Representative. A uniformed member at the O-7 grade, or higher, responsible for implementing the FVAP in his or her respective Uniformed Service.

E2.1.8. Service Voting Action Officer. An individual at a Uniformed Service Headquarter level responsible for voting assistance operations for his or her respective Service.

E2.1.9. State Election. Any election held solely, or in part, for selecting, nominating, or electing any candidate for any State office, such as governor, lieutenant governor, attorney general, or State legislator, or on issues of State-wide interest.

E2.1.10. Uniformed Services. The Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, and their Reserve components, as well as the Commissioned Corps of the Public Health Service and the National Oceanic and Atmospheric Administration.

E2.1.11. Unit Voting Assistance Officer. An individual at the unit level of a Uniformed Service responsible for voting assistance.

E2.1.12. Voting Residence. The legal residence or domicile in which the voter is registered to vote.